

MINUTES

HEATING, PIPING, COOLING AND SHEET METAL WORK EXAMINING BOARD

OCTOBER 15, 2015

The meeting was called to order by Board Member John Higgins, Jr. at 10:31 a.m. on October 15, 2015 in Room 117 at the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Members Present:

David G. Foster	Unlimited/General Contractor
Thomas F. Casey, Jr.	Unlimited Contractor
Cameron G. Champlin, Jr.	Unlimited Journeyperson
John T. Higgins, Jr.	Unlimited Journeyperson

Members Absent:

Robert H. Barrieau, Acting Chairperson	Unlimited Contractor
Michael Rosario	Unlimited Journeyperson
Philip H. Benoit	Sheet Metal Journeyperson

Board Vacancies:

Four Public Members, Sheet Metal Contractor

DCP Board Staff Present:

Richard M. Hurlburt, Director
Karen Layman, Board Secretary

Others present:

Richard Maloney, Director
Paul Femia, Dept. of Labor
John More, Local 777
Jeff Scribner
Don Cappelli
Jeremy Carlson
Thomas Bennett
Kenneth Delnicki
Todd Casey
Matthew Fox

Note: The administrative functions of the Boards, Commissions and Councils are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information contact Richard M. Hurlburt, Director at (860) 713-6135 or Fax: (860) 706-1255.

Agency Website: www.ct.gov/dcp **Division E-Mail:** dcp.occupationalprofessional@ct.gov

MINUTES OF PREVIOUS MEETING:

The Board reviewed and approved the September 17, 2015 Heating, Piping, Cooling and Sheet Metal Work Examining Board meeting minutes as written.

COMMENTS OR CONCERNS OF ANY PERSON PRESENT TODAY:

None

APPEARING FOR REVIEW OF NEW APPLICATION:

Thomas Bennett, West Warwick, RI – (D-1) Unlimited Contractor – Approved with change in category

Mr. Bennett submitted an (S-1) Unlimited Contractor application and appeared before the Board. The Board reviewed the documentation. After discussion, Mr. Bennett chose to change the category of license sought to the (D-1) Limited Contactor license type, and the Board voted unanimously to approve the (D-1) application. The Board noted that the prerequisite (D-2) Limited Journeyman license has been held for over two years.

Thomas Bennett, West Warwick, RI – (S-2) Unlimited Contractor – Withdrawn

After discussion with the Board, Mr. Bennett chose to withdraw this application at this time.

APPEARING FOR RECONSIDERATION:

Kenneth Delnicki, Woodstock Valley, CT – (S-2) Unlimited Journeyman – Approved

The Board denied Mr. Delnicki's (S-2) Unlimited Journeyman application at the August 20, 2015 meeting due to lack of apprenticeship. Mr. Delnicki appeared and submitted additional documentation at the September 18, 2015 meeting. After a review of the documentation, the Board denied this application due to lack of apprenticeship and on the job training.

Matthew Fox, Granville, MA – (B-4) Limited Journeyman – Approved with change in category

The Board denied Mr. Fox's (S-2) Unlimited Journeyman application at the December 18, 2014 meeting due to lack of apprenticeship completion and related instruction.

Mr. Fox appeared at today's meeting for reconsideration and submitted additional documentation for the Board's review. After a review of the documentation and discussion, Mr. Fox chose to change the category of license sought to the (B-4) Limited Journeyman license type, and the Board voted unanimously to approve the (B-4) application.

APPLICATION FOR RECONSIDERATION:

Jeremy Carlson, Berlin, CT – (D-4) Limited Contractor – Approved with change in category

The Board denied Mr. Carlson's (S-1) Unlimited Contractor application at the September 17, 2015 meeting due to lack of apprenticeship and on the job training.

Mr. Carlson appeared at today's meeting for reconsideration and submitted additional documentation for the Board's review. After review of the documentation and discussion, Mr. Carlson chose to change the category of license sought to the (D-4) Limited Journeyman license type, and the Board voted unanimously to approve the (D-4) application.

APPLICATIONS FOR REVIEW:

James Bruno, Montrose, PA – (S-9) Limited Contractor – Denied

The Board voted unanimously to deny Mr. Bruno's (S-9) Limited Contractor application due to lack of apprenticeship completion.

Thomas Buehler, Griswold, CT – (S-1) Unlimited Contractor – Denied

The Board voted unanimously to deny Mr. Buehler's (S-1) Unlimited Contractor application due to lack of apprenticeship completion and related instruction.

Christopher DiPadova, Oxford, CT – (S-2) Unlimited Journeyman – Denied

The Board voted unanimously to deny Mr. DiPadova's (S-2) Unlimited Journeyman application due to lack of apprenticeship completion and related instruction.

Matthew Engel, Tolland, CT – (SM-1) Limited Sheet Metal Contractor – Denied

The Board voted unanimously to deny Mr. Engel's (SM-1) Limited Sheet Metal Contractor application due to lack of apprenticeship completion.

David Marcheterre, Clinton, CT – (S-4) Limited Journeyman – Denied

The Board voted unanimously to deny Mr. Marcheterre's (S-4) Limited Journeyman application due to lack of apprenticeship completion and related instruction.

Jason Millas, Mystic, CT – (S-9) Limited Contractor – Denied

The Board voted unanimously to deny Mr. Millas' (S-9) Limited Contractor application due to lack of the (S-10) Limited Journeyman license for the required two-year period.

Ryan Murphy, New Milford, CT – (S-1) Unlimited Contractor – Denied

The Board voted unanimously to deny Mr. Murphy's (S-1) Unlimited Contractor application due to lack of apprenticeship completion and documentation.

Michael Nero, Sr., Hamden, CT – (S-1) Unlimited Contractor – Denied

The Board voted unanimously to deny Mr. Nero's (S-1) Unlimited Contractor application due to lack of apprenticeship completion.

Michael Renna, Torrington, CT – (D-2) Limited Journeyman – Denied

The Board voted unanimously to deny Mr. Renna's (D-2) Limited Journeyman application due to lack of apprenticeship completion and related instruction.

THE FOLLOWING APPLICATIONS WERE ADDED TO AGENDA BY BOARD VOTE:

APPEARING FOR RECONSIDERATION

Jeffrey Scribner, East Haven, CT – (S-2) Unlimited Journeyman – Denied

The Board voted to table Mr. Scribner's (S-2) Unlimited Journeyman application for review by the Department of Labor at the July 16, 2015 meeting.

Mr. Scribner appeared at today's meeting and the Board, along with Labor Department representative Paul Femia, discussed Mr. Scribner's credentials. After discussion, the Board voted to deny Mr. Scribner's (S-2) Unlimited Journeyman application due to lack apprenticeship completion.

APPLICATION FOR RECONSIDERATION:

John Egan, Brewster, NY – (S-7) Limited Contractor – Denied

The Board voted unanimously to deny Mr. Egan's (S-7) Limited Contractor application due to lack of apprenticeship, on the job training and related instruction.

APPLICATIONS FOR REVIEW:

Thomas Aurich, Fort Wayne, IN – (D-1) Limited Contractor – Denied

The Board voted unanimously to deny Mr. Aurich's (D-1) Limited Contractor application due to lack of apprenticeship completion and documentation.

Dale Cyr, Hebron, CT – (S-6) Limited Journeyman – Denied

The Board voted unanimously to deny Mr. Cyr's (S-6) Limited Journeyman application due to lack of documentation.

Edmund Maher, Sterling, CT – (S-2) Unlimited Journeyman – Approved

The Board voted unanimously to approve Mr. Maher's (S-2) Unlimited Journeyman application.

Julius Neal, West Haven, CT – (S-10) Limited Journeyman – Denied

The Board voted unanimously to deny Mr. Neal's (S-10) Limited Journeyman application due to lack of documentation.

Mark Tyszka, New Britain, CT – (D-2) Limited Journeyman – Denied

The Board voted unanimously to deny Mr. Tyszka's (D-2) Limited Journeyman application due to lack of apprenticeship completion and related instruction.

In addition, the Board voted unanimously to refer Mr. Tyszka's application and employer letter to DCP Trade Practices for investigation.

Charles Eye, Oxford, CT – (B-3) Limited Contractor – Denied

The Board voted unanimously to deny Mr. Eye's (B-3) Limited Contractor application due to lack of on the job training and related instruction.

Joseph Agostino, Portland, CT – (D-2) Limited Journeyman – Denied

The Board voted unanimously to deny Mr. Agostino's (D-2) Limited Journeyman application due to lack of documentation for proof of apprenticeship completion. The Board requested that Mr. Agostino appears at the November meeting.

OLD BUSINESS:

1. DCP Report to the General Assembly's General Law Committee pursuant to Public Act 14-210, "An Act Concerning the Enforcement of Certain Occupational Licensing Statutes" dated January 15, 2015; for the Board's information.

Board so noted

2. DCP Supplemental Report pursuant to Public Act 14-210, "Additional Information Relating to Occupational Licensing Enforcement," dated April 9, 2015; for the Board's information.

Board so noted

3. Legislative Working Group Meeting 9-23-15

Board Member Cameron Champlin provided a brief overview of this meeting, at which occupational trade board members discussed alternate ways to issue trade license cards and concerns about enforcement.

NEW BUSINESS:

1. PSI Exam Review

Overview of examinations for October 2015:
Monday, October 5
ST1, ST2, S9, S10 (Solar thermal / Heat-Cool)

No discussion took place.

CORRESPONDENCE:

1. Opinion No. 15-402, Office of the Attorney General, State of California, addressing the following question: What constitutes "active state supervision" of a state licensing board for purposes of the state action immunity doctrine in antitrust actions, and what measures

might be taken to guard against antitrust liability for board members?; for the Board's information

Board so noted

DCP TRADE PRACTICES DIVISION COMPLAINT STATUS REPORT:

1. The Board will review the complaint report submitted by the DCP Trade Practices Division including open, closed, and dismissed cases.

The Board reviewed a report consisting of opened cases dated 10/5/15 and a report consisting of closed cases dated 10/1/15.

2. The Board requested that DCP Trade Practices Director Richard Maloney attend today's meeting to discuss their concerns about the enforcement of trade licensing.

Richard Maloney attended the meeting and disbursed a report of closed cases between October of 2014 and 2015 and provided an overview of this report. Mr. Maloney also addressed the Board's concerns regarding the Division's procedures as they relate to processing referrals, complaints, and issuing fines.

COMMENTS OR CONCERNS OF ANY PERSON PRESENT TODAY:

None

There being no further business, the meeting adjourned at 11:57 a.m.

Respectfully submitted,

Karen Layman,
Board Secretary

2015 MEETING SCHEDULE

NOTE: ALL MEETINGS WILL TAKE PLACE AT 10:30 A.M.

- November 19, 2015
- December 17, 2015